

Exhibit BB

15TH JUDICIAL DISTRICT COURT
PARISH OF LAFAYETTE
STATE OF LOUISIANA

No. 2016-0983

DIVISION: "I"

KAY POWERS

VERSUS

BEACON CMP CORP, ET AL.

VIDEOTAPED REMOTE DEPOSITION OF
WILLIAM E. LONGO, PHD
Volume III

Taken on behalf of Defendants
May 7, 2021

Nicola Gengler, CCR, CSR, RPR
Certified Court Reporter
License No. 2015012

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1 similar to what we see in the Calidria. So we
2 got out the Calidria standard. And I don't know
3 if that was before or after I read the -- looked
4 at the '74 McCrone paper.

5 So some sequence of events caused me
6 to think that we should use Calidria as the
7 surrogate because both refractive indices are in
8 the range of the -- they are in the range of what
9 we are seeing for the chrysotile in the cosmetic
10 talc as well as in range for Dr. Hsu's charts or
11 tables that give you the range of what can be
12 expected for chrysotile.

13 And it's also mostly in the range of
14 what McCrone says should be for chrysotile based
15 on his work from the 30 mines around the world.

16 Q. I assume that your laboratory has
17 many more different chrysotile reference samples
18 than just Calidria and NIS?

19 A. Oh, well, we have got -- I mean, we
20 have chrysotile standards directly from -- that
21 we purchased along the line from mineral shops,
22 from Russia and a few other places, but I didn't
23 see any need to do that.

24 Q. Was it you that made the discovery
25 that what you were finding in cosmetic talc was

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1 like Calidria or another analyst at your lab?

2 A. I have to give credit where credit is
3 due. Mr. Hess came up with the suggestion.

4 Q. And was that because he was doing
5 another type of analysis at the time that
6 overlapped with this cosmetic talc analysis?

7 MR. LINDER: Objection, form.

8 THE WITNESS: No. He has just been
9 doing this work for 30-some years and it was his
10 idea.

11 BY MR. MULARCZYK:

12 Q. So you were using the NIS standard
13 for a little bit and then Paul Hess approached
14 you and just said you should start looking at
15 Calidria instead?

16 A. I don't remember the sequence of
17 events, but I remember we were chatting and he
18 was pointing out -- he -- we were chatting about
19 it and he says, you know, this looks a lot like
20 what I recall -- you know, we should look at the
21 Calidria.

22 And I said, you know, Paul, that is a
23 great idea or something like that. And we got
24 our Calidria standard out and started looking at
25 it. We got photographs of it. And sure enough,

William Longo, PhD

May 7, 2021

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REPORTER CERTIFICATE

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3 This certification is valid only for a
transcript accompanied by my original signature
and original required seal on this page.

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I, Nicola Gengler, Certified Court
Reporter, Registered Professional Reporter, in
and for the State of Louisiana, as the officer
before whom this testimony was taken, do hereby
certify that WILLIAM E. LONGO, PhD, after having
been duly sworn by me upon authority of R.S.
37:2554, did testify as hereinbefore set forth in
the foregoing transcript; that this testimony was
reported by me in the stenotype reporting method,
was prepared and transcribed by me or under my
personal direction and supervision, and is a true
and correct transcript to the best of my ability
and understanding; that the transcript has been
prepared in compliance with transcript format
guidelines required by statute or by rules of the
board;

12

13 That I am informed about the complete
arrangement, financial or otherwise, with the
person or entity making arrangements for
deposition services; that I have acted in
14 compliance with the prohibition on contractual
relationships, as defined by Louisiana Code of
Civil Procedure Article 1434 and in rules and
advisory opinions of the board; that I have no
15 actual knowledge of any prohibited employment or
contractual relationship, direct or indirect,
between a court reporting firm and any party
litigant in this matter, nor is there any such
relationship between myself and a party litigant
16 in this matter;

17

18 That I am not related to counsel or to
the herein, nor am I otherwise interested in the
outcome of this matter.

19

Dated this 12th day of May, 2021.

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NICOLA GENGLER, CCR, CSR, RPR